

CHAPTER NO. 877

SENATE BILL NO. 3927

By Kyle, Cooper, Beavers, Black, Bowers, Bryson, Burchett, Burks, Cohen, Crowe, Crutchfield, Finney, Fowler, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Curtis S. Person, Jr., Ramsey, Southerland, Tracy, Williams, Woodson, Mr. Speaker Wilder

Substituted for: House Bill No. 4028

By McMillan, Curtiss

AN ACT to amend Tennessee Code Annotated, Title 68, Chapters 102 and 221, relative to electrical inspections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-102-143, is amended by deleting subsection (a) and subsection (b)(1) in their entirety and by substituting instead the following language:

(a) (1) The Commissioner of Commerce and Insurance may, in addition to the preceding provisions, authorize and appoint any person, acting through a professional corporation pursuant to § 48-101-601, who meets the qualifications as enumerated in subsection (a)(2) or (a)(3) as a commissioned deputy electrical inspector in this division, who shall have all the power of other deputies and assistants to enter any building or premises to make inspections of such buildings and their contents, and to report such inspections in writing to the commissioner. The commissioner is directed to contract with each deputy electrical inspector through his or her professional corporation to provide electrical inspection services. Such contracts shall be between the commissioner and the professional corporation employing such electrical inspector and such electrical inspectors shall not be deemed employees of the state for payroll purposes or otherwise.

(2) A deputy electrical inspector shall possess:

(A) A high school diploma or GED certificate;

(B) Practical experience consisting of at least five (5) years in electrical installation or inspection; and

(C) Proof of having passed a nationally recognized certification examination prescribed by the commissioner in both electrical one- and two-family dwellings and electrical general.

(3) Deputy electrical inspectors under contract with the commissioner on June 30, 2006, shall be deemed to meet the qualification standards set forth herein. However, the commissioner may contract with a deputy electrical inspector meeting two (2) of the three (3) requirements of subdivision (2) if the commissioner is unable to locate a fully qualified individual, provided that the

individual meets all of the requirements within one (1) year after the date of the contract.

(4) The commissioner shall provide a program to ensure that electrical inspection services are available throughout the state on a timely basis. An inspection shall be considered timely if it is performed within three (3) working days of when the request is made to the inspector.

(b) (1) Deputy electrical inspectors appointed by the commissioner, or by the city official designated by the commissioner to make appointments in cities or municipalities authorized by the commissioner to conduct electrical inspections, are authorized to inspect electrical installations upon receipt of a request from the owner of the property, a licensed electrical contractor, or from any person, association, or corporation supplying electrical energy to the installations, or from municipal governing bodies, or from the county legislative body of the county in which the installations are located. Each inspector, acting through his or her professional corporation, is authorized to charge for and receive a fee for each inspection.

SECTION 2. Tennessee Code Annotated, Section 68-221-414(a), is amended by deleting the language and punctuation "official electrical inspector, employed by or" and substituting instead the language "deputy electrical inspector".

SECTION 3. For purposes of effectuating the intent of this act, the Commissioner of Commerce and Insurance is authorized to promulgate rules, including, but not limited to, rules by public necessity, in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 4. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect October 1, 2006, the public welfare requiring it.

PASSED: May 26, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 15th day of June 2006


PHIL BREDESEN, GOVERNOR